



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 2
290 BROADWAY
NEW YORK, NY 10007-1866

BY CERTIFIED MAIL - RETURN RECEIPT REQUESTED

October 4, 2007

Rocco Giovanniello
9 Painted Apron Terrace
Port Jervis, NY 12771

Dear Mr. Giovanniello:

Re: Westwood Chemical Corporation Superfund Site
Settlement Agreement with Rocco Giovanniello, Settling Party
EPA Index Number CERCLA-02-2007-2015

This purpose of this letter is to provide notice from EPA that the Settlement Agreement (Index Number CERCLA-02-2007-2015) between the United States Environmental Protection Agency ("EPA"), and you (as settling party), relating to past costs incurred by EPA at or in connection with the Westwood Chemical Corporation Superfund Site, Orange County, New York is effective on October 4, 2007, the date of this notice.

This notice is issued by EPA pursuant to Paragraph 32 of the Settlement Agreement.

EPA published notice of the proposed settlement in the Federal Register on August 24, 2007 (72 Federal Register 48638). The Federal Register notice also announced a 30-day public comment period through September 24, 2007. EPA received no comments from the public relating to the proposed settlement.

Paragraph 12 of the Settlement Agreement requires that you make payment to EPA in the amount of \$25,000 in two installments as follows:

- a) A first payment of \$15,000 which is due within 30 days of the effective date of the Settlement Agreement, or on or prior to November 3, 2007.
- b) A second payment of \$10,000, plus interest, which is due one year from the effective date (or October 4, 2008), although you may pay that at any sooner time if you prefer. (The interest on the second installment, will be calculated from the effective date (October 4, 2007) until the date of payment. The rate of interest will be determined as provided in Paragraph 11.f. of the Settlement Agreement. The interest rate is reset as of October 1 of each year and is currently set at 4.34% per annum. On request, EPA will assist you in calculating the accrued interest at the time of your payment.

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Accordingly, please make payment of the first installment of \$15,000 on or before November 3, 2007. Payment should be made by electronic funds transfer in the manner specified in Paragraph 12 of the Settlement Agreement. When payment is made, please send the written notices required by Paragraphs 12 of the Settlement Agreement to the four EPA mailing addresses and one e-mail address listed at Paragraph 29.

For your reference, I am enclosing a copy of the Settlement Agreement.

If you have any questions, you or your counsel may reach me by telephone at (212) 637-3168 or by e-mail at mintzer.michael@epa.gov.

Very truly yours,

Michael A. Mintzer
Assistant Regional Counsel
Office of Regional Counsel

cc John Casey, Esq.
Dreyer Boyajian, LLP
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Albany, NY 12210

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